

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

GUADALUPE FELIX,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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Hon. Robert J. Jonker

Case No. 1:16-cv-01305

REPORT AND RECOMMENDATION

This matter was filed on November 7, 2016. A notice regarding case assignment and deficiency was entered on November 8, 2016, instructing plaintiff that the \$400 filing fee or a motion to proceed *in forma pauperis* was due immediately and that “failure to comply may result in dismissal of the action.” (ECF No. 2). Plaintiff has failed to respond.

As such, the undersigned hereby recommends that this matter be dismissed pursuant to Fed. R. Civ. P. 41(b) and W.D.Mich. L.Civ.R. 41.1 for want of prosecution and failure to comply with the rules and orders of this court. Timely objections to this Report and Recommendation shall be considered plaintiff’s opportunity to show cause why this matter should not be dismissed.

Date: December 8, 2016

/s/ Ellen S. Carmody  
ELLEN S. CARMODY  
U.S. Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).